

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOHNNY MILES,

Plaintiff,

v.

PUBLIC UTILITY DISTRICT NO. 2
of GRANT COUNTY and DALE
SUNWOLD,

Defendants.

NO. CV-10-353-EFS

**ORDER GRANTING THE PARTIES'
STIPULATION FOR DISMISSAL WITH
PREJUDICE**

This matter comes before the Court on the parties' Stipulation for Dismissal with Prejudice, ECF No. [18](#). The parties stipulate that this case may be dismissed with prejudice and with each party respectively bearing its own fees and costs.

Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), an action may be voluntarily dismissed by a plaintiff by the filing of a stipulation of dismissal signed by all parties who have appeared. Such a dismissal is without prejudice unless the notice or stipulation states otherwise. Fed. R. Civ. P. 41(a)(B). Here, all parties have signed the Stipulation for Dismissal with Prejudice, and the stipulation states that the dismissal shall be with prejudice.

1 Based on the parties' stipulation, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulation for Dismissal with Prejudice, **ECF No.**
3 **18**, is **GRANTED**.

4 2. **Judgment** shall be **ENTERED with prejudice** in Defendants' favor
5 without an award of costs or fees to either party.

6 3. All pending motions and hearings are **STRICKEN**.

7 3. This file shall be **CLOSED**.

8 **IT IS SO ORDERED.** The District Court Executive is directed to enter
9 this Order and provide copies to counsel.

10 **DATED** this 6th day of December 2011.

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14 EDWARD F. SHEA
15 United States District Judge
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